



CPED STAFF REPORT
Prepared for the Zoning Board of Adjustment
BOA Agenda Item #4
December 3, 2015
BZZ-7505

LAND USE APPLICATION SUMMARY

Property Location: 4131 Vincent Avenue South
Project Name: Front Yard Variance
Prepared By: Suado Abdi, City Planner, (612) 673-2467
Applicant: Bonita Hill & George Dow
Project Contact: Bonita Hill & George Dow
Request: Variance to reduce the established front yard setback for the construction of new single-family dwelling.

Required Applications:

Variance	To reduce the established front yard setback by connecting a line between the two residential structures along Vincent Avenue South from 28.5 feet to approximately 29.08 feet allow for the construction new single-family dwelling.
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SITE DATA

Existing Zoning	RI Single Family District
Lot Area	8,512 square feet
Ward(s)	13
Neighborhood(s)	Linden Hills Neighborhood Association
Designated Future Land Use	Urban Neighborhood
Land Use Features	NA
Small Area Plan(s)	<u>Linden Hills Small Area Plan (2013)</u>

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The subject property, 4131 Vincent Avenue South, is located in the RI Single Family District. The lot measures 56 feet x 152 feet (8,512 square feet). The site contains a 1.5 story single-family dwelling that was built in 1913. The existing structure is located within the established front yard setback by 7^{3/8} inches. The existing footprint of the house is setback 9.8 feet from the north property line and 8.3 feet from the south property line. The site contains a detached garage that is accessed through an existing front driveway.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The property to the north, 4127 Vincent Avenue South is a two-story single-family dwelling with a front yard setback of 28.8 feet. The property to the south, 4137 Vincent Avenue South is a 2-story single-family dwelling with a front yard setback of 29.1 feet.

Date Application Deemed Complete	November 11, 2015	Date Extension Letter Sent	November 23, 2015
End of 60-Day Decision Period	January 9, 2016	End of 120-Day Decision Period	March 9, 2016

Both properties are zoned R1 Single Family District. Surrounding uses are primarily single-family uses and few multiple family dwellings. Surrounding properties are predominantly zoned R1 Single Family District with the exception of one R2B-Two Family District zoned property and a cluster of properties zoned R4 Multiple Family District.

PROJECT DESCRIPTION. The applicant is proposing to utilize the existing foundation to build a new 2-story single-family dwelling with an attached garage. A new rear foundation would be constructed to allow a rear extension. A deck is proposed on the south side that meets the required seven-foot side yard setback.

Although the front yard setback for the R1 Single Family District is 25 feet, the Minneapolis Zoning Code states that the setback will be increased when neighboring properties are setback further than the district setback; this condition creates an established front yard setback. An established front yard setback is created by drawing a line from the closest corner of a property on one side of the subject property, to the closest corner on the other side of the subject property.

In this case, the property to the north, 4127 Vincent Avenue South is a two-story single-family dwelling with a front yard setback of 28.8 feet and property to the south, 4137 Vincent Avenue South is a 2-story single-family dwelling with a front yard setback of 29.1 feet. A line connecting these points establishes the subject property's front yard setback. To the naked eye, this encroachment creates no visual difference along Vincent Avenue South. When looking at the proposed house from the north neighbor's property, the foundation extends out only 4 inches more than the north neighbor's house. Similarly on the south property, the foundation extends out only 8 inches more than the south neighbor's house. However, because the foundation encroaches into the established front yard setback, a variance is required to reduce the established front yard setback to allow the construct a new single-family dwelling on the existing foundation.

CONTINUANCE. This project was originally scheduled for a public hearing at the December 3, 2015, Zoning Board of Adjustment meeting. However, staff discovered an additional required variance of the height for the new single-family dwelling after the noticing date. The design of the new house includes a roof turret (witch's tower) that is part of the stairwell for both 1st and 2nd floors. The roof turret meets the maximum height of 33 feet to the peak. However, the average height of the turret roof is approximately 29.5 feet, which exceeds the maximum allowed of 28 feet for single family dwellings in the R1 zoning district. In order to allow time for staff review of the variance, a continuance is recommended for the application to the January 7, 2016, Zoning Board of Adjustment meeting.

PUBLIC COMMENTS. Staff received a letter from the Linden Hills Neighborhood Association indicating the Committee voted unanimously to not oppose the variance. Any additional correspondence received prior to the public meeting will be forwarded on to the Zoning Board of Adjustment for consideration.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the application by Bonita Hill for the property located at 4131 Vincent Avenue South:

A. Variance of the established front yard setback.

Recommended motion: **Continue** the application to the January 7, 2016, Zoning Board of Adjustment meeting.